

ARKANSAS SUPREME COURT

No. CR 07-974

LARRY JAMES OSBORN
Petitioner

v.

STATE OF ARKANSAS
Respondent

Opinion Delivered February 21, 2008

PRO SE MOTION FOR
RECONSIDERATION OF DENIAL OF
MOTION FOR BELATED APPEAL
[CIRCUIT COURT OF SALINE
COUNTY, CR 96-203, HON. GARY M.
ARNOLD, JUDGE]

MOTION DENIED.

PER CURIAM

Now before us is petitioner's pro se motion for reconsideration of the denial of the motion for belated appeal that this court handed down on November 29, 2007. *Osborn v. State*, CR 07-974 (Ark. Nov. 29, 2007) (per curiam). Petitioner reiterates the same grounds advanced in the motion for belated appeal and reasserts that the untimely appeal was due to an inadvertent action on his part that resulted in prejudice to him. Petitioner has failed to meet his burden of demonstrating that there was some error of fact or law in the decision that would merit reconsideration of the denial of the motion for belated appeal. In sum, it is the duty of a litigant to perfect a timely appeal, and petitioner failed to do so by filing the notice of appeal with the trial court instead of with the circuit court clerk, as required by Ark. R. App. P.–Civ. 3(b).

Motion denied.